

**REMARKS**

Claims 1, 3-20 and 22-32 are pending in this application. By this Amendment, claims 31-34 are added. Reconsideration of the application based upon the above amendments and the following remarks is respectfully requested.

The November 28 Office Action, in paragraph 5, rejects claims 1, 3-20 and 22-30 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2004/0008253 to Monroe in view of U.S. Patent Application Publication No. 2003/0041155 to Nelson et al., or U.S. Patent Application Publication No. 2002/0004411 to Heppe et al. (hereinafter "Heppe"). Applicants traverse these rejections with arguments set forth in Applicants' Amendment After Final Rejection filed January 5, 2007.

The February 7, 2007 Advisory Action indicates that the Amendment After Final Rejection has been considered but does not place the application in condition for allowance.

The November 28 Office Action, on page 5, concedes that Monroe does not disclose an ACARS transceiver located on the aircraft. The Office Action relies on Nelson and Heppe to overcome this deficiency of Monroe.

The Advisory Action asserts that Nelson and Heppe teach that commercial aircraft commonly transmit and receive air/ground digital information via radio equipment operating in the VHF portion of the radio spectrum. The Office Action goes on to assert that using the data protocol known as ACARS, the airborne equipment, the ground station equipment and extended ground network all cooperate to support the end-to-end transmission of digital information. The Office Action implies that the digital information includes data communication, voice communication and video communication. This assertion is incorrect.

The Examiner's assertion, as enumerated above, is based in part on Heppe, in paragraph [0003], teaching the transmission and reception of digital information in the VHF portion of the radio spectrum using a data protocol known as ACARS. In this same

paragraph, Heppe goes on to teach that the ACARS air/ground environment is described in ARINC specification 618. This particular specification entitled Air-Ground Character Oriented Protocol, details specifically that the ACARS air/ground environment is a digital data link system for transmission of small telex type messages between aircraft and ground stations. This protocol, as defined in the 1970s, uses telex formatted messages, as evidenced by ARINC specification 618, and as taught by Heppe, and does not support data communication, voice communication and video communication, as positively recited in the subject matter of the pending claims.

ACARS messages may be of three types: (1) air traffic control, (2) airline operational control, and (3) airline administrative control. Air traffic control messages are used to communicate between the aircraft and air traffic control. The airline operational control and airline administrative messages are used to communicate between the aircraft and its base. These specific messages are defined by the users, but must meet the guidelines of ARINC specification 618. It should be noted that the majority of ACARS messages are typically only 100-200 characters in length, and such messages are made-up of a one-block transmission to or from the aircraft. For messages that are longer than 220 characters, the ACARS protocol will split the message into multiple blocks, transmitting each block independently. For these multi-block messages, the system collects each block until the complete message has been received, before processing and routing the message.

Therefore, the assertion of the Advisory Action that nowhere in Heppe is there a reference to ACARS being unsuitable for the system described in the claims is incorrect. Specifically, the very paragraph referred to in the Office Action, and the Advisory Action, by reference to ARINC specification 618, and the inherent capabilities of the ACARS system's protocol in use at the time of invention, indicates that ACARS is unsuitable for the system as positively described in the pending claims.

Additionally, contrary to the assertion of the Office Action and the Advisory Action, one skilled in the art would be knowledgeable of the capabilities of the ACARS system and therefore, would not rely on either Nelson or Heppe to overcome the deficiencies of Monroe. Particularly, with respect to the ACARS system located on the aircraft to receive from and transmit to the at least one portable control and display unit (1) data communication, (2) voice communications, and (3) video communication.

Claims 31 and 32, depending from independent claims 1 and 20, respectively, are added to recite at least one portable control and display unit is configured to transmit a vehicle positioned at a programmed interval which can only be turned off by encrypted command from a remote site. In addition to the arguments above, these particular features are not taught, nor would they have been suggested, by the applied prior art references of Monroe, Nelson and Heppe, in any permissible combination.

Further, claims 33 and 34, depending from claims 10 and 20, respectively, are added to recite the ACARS transceiver transmits and receives a signal by an iridium satellite modem. In addition to the arguments above, these particular features are not taught, nor would they have been suggested, by the applied prior art references of Monroe, Nelson and Heppe, in any permissible combination.

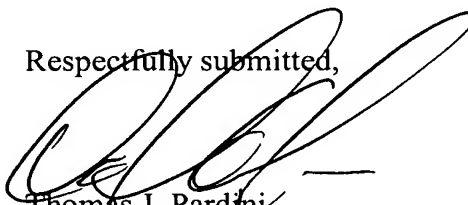
For at least the above reasons, Monroe, Nelson and Heppe cannot reasonably be considered to teach, or to have suggested, the combinations of the all the features recited in at least independent claims 1 and 20. Further, claims 3-19 and 22-30 would also not have been suggested by the applied prior art references for at least the respective dependence of these claims on allowable independent claims 1 and 20, as well as the separately patentable subject matter that each of these claims recites.

Accordingly, reconsideration and withdrawal of the rejections of claims 1, 3-20 and 22-30 under 35 U.S.C. §103(a) as being unpatentable over the combination of applied prior art references are respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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TJP:DAT/jam

Attachment:

Petition for Two-Month Extension of Time  
Request for Continued Examination  
Amendment Transmittal

Date: April 27, 2007

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